



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Ashby III et al.

Serial No. 09/747,274

Filed: December 21, 2000

For: APPARATUS, SYSTEM AND METHOD
FOR RECORDING AND/OR
RETRIEVING AUDIO INFORMATION

Group Art Unit: 2654
Examiner: T. Smits

Atty. Dkt. No. 5007-00700

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December 12, 2003
Date

Kevin L. Daffer

AMENDMENT AFTER ALLOWANCE PURSUANT TO 37 C.F.R. § 1.312

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir/Madam:

In accordance with information retrieved from the U.S. Patent & Trademark Office website, the captioned application has been allowed. A Notice of Allowance, however, has not yet been mailed according to Examiners Susan McFadden and Dwayne Bost. In a discussion via telephone with Ms. McFadden and Mr. Bost on November 20, 2003, it was determined that this Amendment After Allowance is necessary to cure certain informalities before the Notice of Allowance can be mailed.

According to MPEP 1453, as confirmed by Mr. Bost, the prior Amendment after Final Rejection mailed to the Patent Office on June 17, 2003 ("Prior Amendment"), was inaccurate as to form. Therefore, this amendment is necessary to correct those inaccuracies. In the Prior Amendment, claims 5, 12, 18, 24, 29, and 35 were amended. Those claims are considered "new claims" in that they were previously presented in the Preliminary Amendment filed December 21, 2000. Thus, when new claims are amended, the entire claim must be underlined and not just the amended portion(s). Accordingly, in order to fully